



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/563,193	01/03/2006	Ludwig Neyses	Neyses-WO05002495US	6484
40418	7590	12/29/2008		
HEIMLICH LAW 5952 DIAL WAY SAN JOSE, CA 95129			EXAMINER JEAN-LOUIS, SAMIRA JM	
			ART UNIT	PAPER NUMBER
			1617	
			NOTIFICATION DATE	DELIVERY MODE
			12/29/2008	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

alanheimlich@heimlichlaw.com  
sroberts@peloquinlaw.com

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10563193	1/3/2006	NEYSES, LUDWIG	Neyses-WO05002495US

HEIMLICH LAW  
5952 DIAL WAY  
SAN JOSE, CA 95129

**EXAMINER**

SAMIRA JEAN-LOUIS

ART UNIT	PAPER
----------	-------

1617	20081220
------	----------

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

The reply filed on 02 October, 2008 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): applicant failed to correctly elect a particular inhibitor directed against PMCA4 isoform . See 37 CFR 1.111. Additionally, Applicant has failed to address the recitation of claim 21 which recites addition of other components. While Applicant elected Group I claims 14-22 drawn to a method of achieving a contraceptive effect; no species election was made. Thus, applicant is required to elect a particular inhibitor of PCMA4 isoform and identify correctly such group in response to the Restriction/Election requirement. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Samira Jean-Louis whose telephone number is 571-270-3503. The examiner can normally be reached on 7:30-6 PM EST M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan can be reached on 571-272-0629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SREENI PADMANABHAN/  
Supervisory Patent Examiner, Art Unit 1617

/Samira Jean-Louis/  
Examiner, Art Unit 1617